



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

AKS

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/039,014 | 01/02/2002 | Shu Shimazaki | F-7269 | 7511 |

28107 7590 07/07/2004
JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
SUITE 4000
NEW YORK, NY 10168

EXAMINER

MILORD, MARCEAU

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2682 | |

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/039,014

Applicant(s)

SHIMAZAKI ET AL.

Examiner

Marceau Milord

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 5-11 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barvesten (US Patent No) in view of (US Patent No).

Regarding claims 1-2, Barvesten discloses a mobile phone (figs. 1-2) comprising a housing comprised of a pair of front and back casings, the front casing having a display device and a plurality of keys (col. 2, line 61- col. 11); power source means disposed in said housing (col. 3, line 56- col. 4, line 40); and a heating circuit, which comprises a line to be heated thorough connection with said power source (col. 5, lines 5-42; col. 6, lines 16-33), the heating

Art Unit: 2682

circuit having a thermostat and an out-operable switch which are connected therein, the heated line being arranged between the distal and proximal portions of the back cash.

However, Barvesten does not specifically disclose a heating circuit, which comprises a line to be heated thorough connection with said power source, the heating circuit having a thermostat and an out-operable switch which are connected therein, the heated line being arranged between the distal and proximal portions of the back cas.

On the other hand, Braitberg et al from the same field of endeavor, discloses a cellular telephone that is interconnected to a host assembly via a cable. The cable contains both appropriate interdisciplinary connections for attachment to the telephone at one end and to the host assembly at the other hand via a universal connector. The host assembly can function with any one of a variety of cellular telephones having differently configured cable connection (col. 2, lines 2-66). Furthermore, the connector mount 482 is secured to the base 464 of the slidable connector housing 462 to fix the flexible cable connector 454 in place with respect to the slidable connector housing 462 (col. 6, line 15- col. 7, line 56; col. 8, lines 27-65). It utilizes a heat-setting procedure to secure the connector mount 482 to the slidable connector housing housing 462. In addition, the base unit 204 may be mounted in the passenger compartment of an automobile or other such vehicle and may be connected to a power source either directly or through an adapter connected to the cigarette lighter. The user first connects a cellular telephone to the pocket adapter 202 designed for use with the telephone. The pocket adapter is then connected to the base unit 204 using the cord 206 (col. 10, line 16- col. 11, line 60; col. 12, line 4- col. 13, line 62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Braitberg et al to the

Art Unit: 2682

communication system of Barvesten in order to provide a universal and electrical connection to a plurality of different kinds of hand-held cellular telephone units.

Regarding claim 3, Barvesten as modified discloses a mobile phone (figs. 1-2) comprising a housing comprised of a pair of front and back casings, wherein the back casing comprises aluminum alloy (col. 5, lines 5-47; col. 6, lines 16-33).

Claim 4 contains similar limitations addressed in claim 1, and therefore is rejected under a similar rationale.

Allowable Subject Matter

4. Claims 5-11 are allowed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Manor US Patent No 6127801 discloses a battery pack assembly for use with hand-held electronic equipment including a base unit which is mechanically and electrically compatible with the hand-held electronic equipment.

Chen US Patent No 6219419 B1 discloses a shielding sticker for use on a cellular phone against electromagnetic waves generated by the phone and having negative influence on a person using such phone.

Hahu et al US Patent No 6078825 discloses a wireless headset system for use with mobile phones, and which incorporates a wireless headset which communicates with a base station.

Art Unit: 2682

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 703-306-3023. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MARCEAU MILORD

Marceau Milord

Examiner

Art Unit 2682